
Governor's Small Business Regulatory Review Board

September 8, 2008

Secretary Karen Timberlake
Department of Health Services
1 West Wilson Street
Madison, WI 53703

Re: HS 173, 175, 178, 195, 197 and 198, Fee Increases
CR-08 - 073

Dear Secretary Timberlake:

Wisconsin 2004 Act 145 created the Small Business Regulatory Review Board (SBRRB) to serve as a voice for small businesses as defined in Wis. Stats. 227.114(1). The SBRRB's statutory authority for review of proposed rules is contained in Wis. Stats. 227.14(2g) and provides that an agency shall submit the proposed rule and the small business impact analysis to the SBRRB when the agency determines that the impact of that rule has a significant impact on small business. Although this proposed rule on fees increases was not submitted to the SBRRB as having a significant impact on a substantial number of small businesses, the SBRRB did receive testimony from a representative of small business about the economic impact of HS 159 at its August 27, 2008 meeting. As Chairman of the Small Business Regulatory Review Board, I am submitting the outcome of the SBRRB's review at that meeting.

Based on testimony presented by the small business representative and the department, the SBRRB finds that the department complied with the statutory rulemaking requirements by performing their due diligence in analyzing the cost impacts on small business. The department's small business economic impact analysis reflects the degree to which the department understands the value in preparing an analysis that measures the costs impacts of a proposed rule on small business.

The SBRRB commends the department for their efforts to engage small business in their outreach and rulemaking process. Because of the departments' efforts to study the effects of this rule on small business the Department, the SBRRB and the legislature will have an accurate picture of how small businesses will be affected by this rule.

Sincerely,



Richard E. Petershach, Chairman
Governor's Small Business Regulatory Review Board

Cc: Rea Holmes, DHS Executive Assistant
Thomas Sieger, Deputy Administrator, Division of Public Health
Pat Cooper, DHS Small Business Regulatory Review Board
Rosie Greer, DHS Small Business Regulatory Review Coordinator